

FILE DESIGNATION

CONCURRENCES

Memorandum for Record: Ramsey/lpp/52565/25 Sep 78

22 September 1978

SUBJECT: SCI Denials Working Group (SCIDWg) - Status Report

1. On 29 August 1978, the undersigned forwarded to RSS a SCIDWg Status Report (attached) summarizing actions which had previously been taken concerning possible adoption of due process/administrative appeal (DP/AP) procedures in the SCI clearability process. Paragraph 4.b. of that MFR recommended that the Chief, RSS-3 convene a special meeting of DoD SCI representatives to thrash out a consolidated position regarding a workable/acceptable SCI denials appeal procedure.
2. The Special DoD Working Group for DP/AP met on 21 September 1978 under my chairmanship (acting). Representatives were present from DIA, NSA, the Military Services, and OUSD(P). Mr. Maynard Anderson advised that the need for uniform DP/AP procedures in the SCI area was addressed during the July 1978 SECOM meeting and the Chairman, Mr. Gambino, directed the SCIDWg to develop appropriate DP/AP proposals which would balance the security of SCI with the equity of the individual in those cases involving denial/revocation of access.
3. General agreement was reached among the DoD representatives at yesterday's meeting that a broad statement could be included in a revised DCID 1/14 to the effect that SIO's should establish uniform procedures for administrative appeal in SCI denial cases. Such a procedure would have to include, as a minimum (1) notification of the basis for denial, and (2) a formal system which affords a reasonable opportunity for the individual to offer any facts, knowledge, new information, or clarification/explanation of prior information which might have a bearing on an ineligibility determination. The undersigned is currently drafting an initial proposal to cover these points.
4. The Special DoD Working Group will reconvene at IC Staff Hq, on 5 October 1978, to consider the draft proposal cited in the preceding paragraph. Mr. Anderson requested that this meeting be scheduled subsequent to 1 October in order to allow time for the General Vott group to make its report to the SECOM.

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 JOHN E. BURNS
 Chief, Security Division

On file OSD release instructions apply.

DRAFT DOD PROPOSAL AN DP/AP REVISION TO DCID 1/14

Each Senior Intelligence Officer shall establish formal procedures ensuring that individuals denied access to SCI are notified of the decision and are afforded a reasonable opportunity to respond.